

**BOROUGH OF WESTWOOD  
ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
MINUTES  
August 3, 2009**

**1. OPENING OF THE MEETING**

The meeting was called to order at approximately 8:00 p.m.

Open Public Meetings Law Statement:

This meeting, which conforms with the Open Public Meetings Law, Chapter 231, Public Laws of 1975, is a Regular Meeting of the Westwood Zoning Board.

Notices have been filed with our local official newspapers and posted on the municipal bulletin board.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL:**

**PRESENT:** Raymond Arroyo  
Guy Hartman  
Dan Koch  
Eric Oakes  
William Martin, Chairman

**ALSO PRESENT:** David Rutherford, Esq., Board Attorney  
Louis Raimondi, Maser Consulting, PA  
Steve Lydon, Burgis Associates  
Borough Planner

**ABSENT:** Christopher Owens (excused absence)  
Robert Bicocchi (Alt #1) (excused absence)  
Michael Bieri (Alt. #2) (excused absence)  
Joseph Frasco, Vice-Chairman (excused absence)  
(all on vacation)

Guy Hartman stated he listened to the tape of the 7/6/09 meeting and signed a Certification.

**4. MINUTES** - The Minutes of the 7/6/09 Meeting were approved on motion made by Mr. Oakes, seconded by Mr. Arroyo and carried.

**5. CORRESPONDENCE:** As listed on Agenda and read:

(WWZB 8/3/09)

1. Memo from Burgis Associates dated 7/16/09 RE: Riggi, 27 Lester Avenue;

2. Memo from Burgis Associates dated 7/20/09 RE: Petrina, 118 Third Avenue;

3. Memo from Burgis Associates dated 7/29/09 RE: LaDuca, 80 Ash Street;

**6. VOUCHERS:** A motion to approve vouchers totaling \$9,587.50 was made by Mr. Arroyo, seconded by Mr. Koch and carried unanimously on roll call vote.

**7. RESOLUTIONS:**

1. **Paragon Federal Credit Union, Washington Avenue -** Held until 9/14/09;

2. **Liberty Associates, 225 Kinderkamack Road - Application for Certification of Non-Conforming Use -** Mr. Rutherford read the Resolution of Approval into the record. A motion for approval of the Resolution was made by Mr. Arroyo and seconded by Mr. Oakes and carried unanimously on roll call vote. Mr. Hartman was not eligible to vote.

**8. PENDING NEW BUSINESS:**

1. **Bohen, 567 Lafayette Avenue - Variance -** Set for 9/14/09;

**9. VARIANCES, SUBDIVISIONS AND/OR SITE PLANS, APPEALS, INTERPRETATIONS:**

SWEARING IN OF BOARD PROFESSIONALS FOR PUBLIC HEARINGS  
The Board Professionals were sworn in.

1. **Jack Riggi, 27 Lester Avenue - Variance approval -** William Martin recused himself and stepped down from the dais. Raymond Arroyo chaired the meeting for this application in absence of the Vice-Chairman. Robert Zampolin, Architect, continued under oath regarding his plan revised to 7/13/09. Mr. Lydon commented. Mr. Raimondi questioned Mr. Zampolin, who testified the entire property is fenced in. There were no further questions or comments.

(WWZB 8/3/09)

A motion for motion for approval was made by Mr. Koch and seconded by Mr. Oakes and carried unanimously on roll call vote. Mr. Martin was recused.

Mr. Martin returned to the dais.

**2. Kevin Seger, 56 Hillside Avenue - Variance/Certification of Non-Conforming Use** - Nancy Saccente, Esq. represented the applicant. Kevin Seger, owner, continued under oath. He purchased the property in October of 1997. The Deed was marked Exhibit A1. He rented the property every year since he purchased it and provided the utility bills and other documentation. The income tax returns show the subject premises as a rental property. Two sets of photos were taken by applicant and marked A2 and A3. The tax records show it as a two-family home. The house has two electric meters.

Ms. Saccente commented they are looking for the Board to grant a two-family non-conforming use. Comments by Board members followed. Mr. Arroyo noted there are two kitchens in the house which bolsters the applicant's testimony.

There were no questions from the public and none further from the Board. Mr. Arroyo commented the applicant has met the burden of proof and made a motion for approval. Mr. Oakes seconded the motion and the motion carried unanimously on roll call vote.

**3. J. LaDuca, 80 Ash Street - Appeal** - Carried to 9/14/09;

**4. P. Petrina, 118 Third Avenue - Variance** - Carried to 9/14/09;

**5. Borduin, 325 Lafayette Avenue - Application for Certification of Non-conforming Use**-No appearance by applicant;

**10. DISCUSSION:** Review of applications by Borough Departments. Borough Professionals to submit reports in advance. Memo to be distributed regarding same. Borough Departments may appear at meetings to make comments and be cross-examined.

**11. ADJOURNMENT** - On motions, made seconded and carried, the meeting was adjourned at approx. 11:55 p.m.

(WWZB 8/3/09)

**Respectfully submitted,**

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**MARY R. VERDUCCI, Paralegal**  
**Zoning Board Secretary**